

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL V. ROBERTS,

Plaintiff,

v.

OFFICER MATT NIEBEL;
OFFICER WILFREDO RAMIREZ;
OFFICER CHRISTOPHER A. CORTAZZO;
OFFICER JAMES T. KENNEDY; and
THE CITY OF READING,

Defendants

CIVIL ACTION NO. 13-CV-1990

ORDER

AND NOW, this 6th day of January, 2015, upon consideration of Defendants City of Reading, Officer Matt Niebel, Officer Wilfredo Ramirez, Officer Christopher Cortazzo and Officer James T. Kennedy's Motion for Summary Judgment on Plaintiff's Claims Against Defendants and the Counterclaim of Officer Kennedy Against Plaintiff (Dkt. No. 34) filed August 1, 2014; upon consideration of Plaintiff's Brief in Opposition to Defendants' Motion for Summary Judgment (Dkt. 40) filed September 15, 2014; and upon consideration of Defendants City of Reading, Officer Wilfredo Ramirez, Officer Christopher Cortazzo, Officer Matt Niebel, and Officer James T. Kennedy's Reply Brief in Support of Their Motion for Summary Judgment (Dkt. No. 47) filed October 6, 2014; and for the reasons expressed in the foregoing Memorandum,

IT IS ORDERED that Defendants' Motion for Summary Judgment on Plaintiff's claims against Defendants is **GRANTED**. Judgment is entered for Defendants on Plaintiff's claims.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment on the counterclaim of Officer Kennedy is **GRANTED**. Judgment is entered on the counterclaim in favor of Officer Kennedy in an amount to be determined at trial.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN,
United States Magistrate Judge